

STATE OF INDIANA)
) SS:
COUNTY OF MARION) COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8846-AG09-1109-232

IN THE MATTER OF:

**Courtney Gibson
d/b/a Insurance Network
383 Pleasant Grove
Columbus, IN 47201**

Type of Action: Enforcement

FILED

JUL 23 2016

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On May 24, 2010, the Administrative Law Judge, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

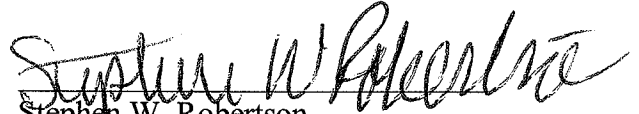
1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Respondent by mailing the same to her address of record.
2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.
3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's producer license shall be permanently revoked.
2. Respondent shall pay a fine in the amount of ten thousand dollars (\$10,000.00) within ninety (90) days.

ALL OF WHICH IS ORDERED by the Commissioner this 23th day of July, 2010.


Stephen W. Robertson,
Executive Director and
Acting Commissioner,
Indiana Department of Insurance

Copies to:

Nick Mann, Attorney
Indiana Department of Insurance
311 West Washington St., Suite 300
Indianapolis, IN 46204

Courtney Gibson
d/b/a Insurance Network
383 Pleasant Grove
Columbus, IN 47201

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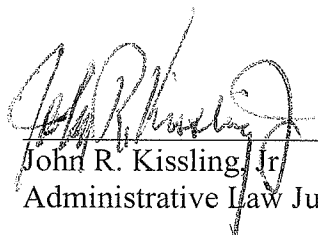
MAY 24 2010

STATE OF INDIANA
DEPT. OF INSURANCE

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order are deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.


John R. Kissling, Jr.
Administrative Law Judge

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8846-AG09-1109-232

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STATE OF INDIANA
DEPT. OF INSURANCE

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

Administrative Law Judge, John R. Kissling, Jr., having considered and reviewed all of the evidence, will now render a decision in the matter of Respondent Courtney Gibson ("Respondent"), which came to be heard on the 31st day of March at approximately 10:00 am at the Indiana Department of Insurance, 311 West Washington St, Indianapolis, Indiana 46202.

The Indiana Department of Insurance was represented by counsel, Nikolas P. Mann. Respondent did not appear personally or by counsel. Witnesses testified under oath, evidence was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the Administrative Law Judge now makes the following Findings of Fact and Conclusions of Law, and issues his Recommended Order as follows:

FINDINGS OF FACT

1. Respondent is a licensed resident insurance producer, duly licensed by the State of Indiana.
2. Respondent was served with notice of hearing by certified mail sent to the address she had on file with the Department as well as at the residence of her mother, with whom

the Department has reason to believe she has been staying in recent months. (See Exhibit 2 and 3 and Transcript at 11:7-17).

3. Respondent is the agent of record at Insurance Network, a Bedford, IN insurance agency, and signed an Agreed Entry acknowledging that she was responsible for the actions of the agency. (See Exhibit 4 and Transcript at 16:3-15).
4. The Agreed Entry and resulting Final Order of April 17, 2009 also required that Respondent reimburse Amy Terrell, who had filed a complaint with the Department alleging that she had been paying premiums to Insurance Network for approximately two years for a policy that did not exist. (See Exhibit 4 and 5).
5. The Commissioner issued a Final Order adopting said Agreed Entry. (See Exhibit 5 and Transcript at 17:5-12).
6. On November 9, 2009, the Department received a complaint filed against Insurance Network from Mike Jones who stated that he had paid in full a six month auto premium to Insurance Network for a policy with Founders Insurance Company, but the policy was cancelled due to non-payment. Respondent's mother provided a "receipt", signed by Respondent that showed he now had a policy with Hallmark Insurance Company. (See Exhibit 6 and Transcript at 18:6-22).
7. The "receipt" provided by Respondent's mother showed that Mike Jones had an auto policy with Hallmark Insurance under policy number 014-000495-00. It was signed by Respondent. (See Exhibit 7 and Transcript at 19:14-18).
8. Respondent's mother, Karen Veen, had her producer's license revoked by Order of the Commissioner on December 24, 2008. (See Exhibit 4 and Transcript at 14:6-8).
9. Hallmark Insurance Company had no record of any policy being issued to Mike

Jones, and the policy number on the "receipt" provided by Respondent's mother was issued to someone else. (See Exhibit 8 and Transcript at 20:10-18).

10. Respondent's producer's license was suspended by Emergency Order on November 9, 2009. (See Exhibit 9 and Transcript at 21:11-15).
11. In a conversation with Respondent's mother, the Department learned that Respondent was "on the run" from police. (See Transcript at 23:12-22)
12. Respondent was convicted of Operating a Vehicle While Intoxicated Resulting in Serious Bodily Injury under cause number 49G03-0609-FC-178897. (See Exhibit 10 and Transcript at 24:8-13).
13. The aforementioned conviction was a conviction for a "C" felony. (See Exhibit 10 and Transcript at 24:16-20).
14. Respondent did not notify the Department of the criminal proceedings. (See Transcript at 23:23-25; 24:1-2).
15. There is currently an outstanding warrant for Respondent's arrest in Marion County, IN. (See Exhibit 11 and Transcript at 26:18-24).
16. The Department received additional complaints from Scarlett Fair, Stephanie McCamerron, Charles Hancock, James Kimmel, Janett Foster, Sue Ellen Wykoff, Ronald Sproles, Mandy Mounce, Jason Wesner, Jesse Shelton, Lorene Ashley, Patty and Michael Patton, Robert Simmons, Yvonne Tincher, Randy Knight, and Julie Runyon each alleging that Respondent and/or her mother had misappropriated premiums resulting in cancellations or lapses in coverage. (See Exhibit 12 and Transcript at 27:16-25; 28:1-8).
17. Respondent and her mother are currently being investigated by the Bedford Police

Department relating to the misappropriation of premiums. (See Transcript at 28:23-25; 29:1-3).

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. The Commissioner has the discretionary authority to revoke the Respondent's license to sell insurance and to fine Respondent.
4. The Department has met its burden in showing by a preponderance of the evidence that Respondent's conduct is contrary to the Indiana Insurance Code and that disciplinary action to include revocation of license is in order.
5. Respondent's conduct, as alleged herein, is contrary to Indiana Code Section 27-1-15.6-12(b)(4) by demonstrating a history of misappropriating premiums that were to pay for insurance policies belonging to Amy Terrell, Mike Jones, Scarlett Fair, Stephanie McCamerron, Charles Hancock, James Kimmel, Janett Foster, Sue Ellen Wykoff, Ronald Sproles, Mandy Mounce, Jason Wesner, Jesse Shelton, Lorene Ashley, Patty and Michael Patton, Robert Simmons, Yvonne Tinchler, Randy Knight, and Julie Runyon and as such is subject to disciplinary action including but not limited to sanctions, fines, and revocation of her license. (See Exhibit 4, 6, and 12).
6. Respondent acted in a manner contrary to Indiana Code Section 27-1-15.6-12(b)(6) by being convicted of a felony and as such is subject to disciplinary action including but not limited to sanctions, fines, and revocation of her license. (See Exhibit 10).

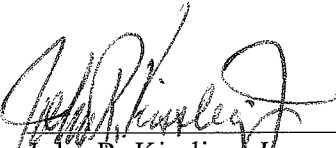
7. Respondent acted in a manner contrary to Indiana Code Section 27-1-15.6-17 (b) by failing to notify the Department of criminal proceedings (See Transcript at 23:23-25; 24:1-2).
8. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Respondent's producer license should be permanently revoked.
2. Respondent should be required to pay a fine in the amount of ten thousand dollars (\$10,000.00) within ninety (90) days of the Commissioner's Final Order.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 24th day of May, 2010.



John R. Kissling Jr.
Administrative Law Judge